

WAYLAND CONSERVATION COMMISSION

Minutes, Wednesday, August 26, 2015 7:17 – 10:27PM

Location: Senior Center, Town Building, 41 Cochituate Road, Wayland, MA

Present: Commissioners: Roger Backman, Joanne Barnett, Sean Fair, Barbara Howell, Betty Salzberg, John Sullivan (intermittent attendance from 7:30-10:00pm) Chairperson: Sherre Greenbaum, Conservation Administrator: Brian Monahan

Minutes: Andrea Upham

S.Greenbaum opened the meeting at 7:17pm noting that a quorum was present.

1. **7:17 PM – Citizens Time:** This is a time for input to the Commission regarding items that are *not* on the agenda. Brian Harris was introduced and welcomed as the new part-time Land Manager in the Conservation Department. As a 2000 graduate of Wayland High School, B.Harris said he looks forward to contributing to the Town where he was raised and summarized his background and interests in conservation and ornithology.

2. **Land Management Item: Discussion of Rocky Point Conservation Area**

S.Greenbaum introduced a general discussion of thoughts for the Rocky Point Conservation area and asked for any input from residents.

Karen Lowery, speaking for herself and husband Mike Lowery, noted they would like some access to the water, perhaps just a path to help people get into the water with boats. Mrs. Lowery also noted that the wording on signage could be more positive. B.Monahan noted that Mr. Lowery had previously suggested posting the hours of operation, which B.Monahan noted are traditionally "dawn to dusk" and he noted that the Commission can give some attention to more positive wording on signage.

Stan Ducharme, 44 Pond Drive, suggested police presence in the area from time to time, noting that teenagers were drinking and smoking this past weekend and at other times. B.Monahan will send an email to the Chief with that information and request.

Flavia Zorngiotti, Doran Road, expressed her total support and urged the presence of a barrel for trash that is emptied frequently and regularly. She and her husband took it upon themselves to put a barrel out after trash was becoming an issue and they regularly emptied them and will very much appreciate a system being put in place.

Mike Miller, 6 Cross Street, agreed with the need for hours of operation and plan for trash with someone designated for pick-up. He also expressed enthusiasm for a canoe/kayak launch area and park benches and noted the need for a parking plan. Mr. Miller explained that the front area is where the town pushes all the snow from Doran/Mathews so parking would have to be off to the side. He also noted that natural drainage occurs there and that in the 1960s the Town bought land and made a connecting road between Doran/Mathews for fire engines; water started to drain toward Mr. Miller's property and the Town installed a culvert underneath and then into wetlands so the Commission should be aware of that natural drainage path.

Debbie Portyrata, 48 Pond Drive, suggested posting signs saying "please take out whatever you take in."

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Gary Rubin, Lakeview Road, shared that he once had to take his child to the emergency room due to broken glass at Rocky Point and felt that glass should be prohibited.

B.Howell commented that perhaps with more use by the public, teenagers will not gather there in the manner they have been.

B.Monahan said he hopes to get signs put up in the fall.

3. **7:35 PM – Continued Public Hearing, Chris D’Antonio, Applicant, 24 School Street, DEP File 322-845:** Abbreviated Notice of Resource Area Delineation filed pursuant to the Wetlands Protection Act and a Chapter 194 application filed pursuant to Wayland’s Wetlands and Water Resources Protection Bylaw, Chapter 194, filed by Chris D’Antonio for a determination of resource areas at 24 School Street, Wayland MA shown on Assessor’s Map 52, Parcel 189.

B.Monahan noted that the applicant requested continuance to the second hearing in September.

Motion to continue the hearing to September 24, 2015 at 7:30pm under the Wetlands Protection Act; Seconded 6-0

Motion to continue the hearing to September 24, 2015 at 7:30 pm under the Chapter 194 Bylaw; Seconded 6-0

4. **Other**

- a. Minutes – August 5, 2015

Motion to approve the Minutes of August 5, 2015 as amended; Seconded 6-0

- b. Discussion and vote for any warrant articles for Fall, 2015 Special Town Meeting such as funding for Open Space and Recreation Plan Update

S.Greenbaum reported that the Recreation Commission voted to team up with Conservation for this effort. Gretchen Schuler needed an article for tonight’s CPC Meeting and the Commission needs to vote to go ahead with this. S.Greenbaum noted that N.Balmer had suggested a budget figure of \$30K. S.Greenbaum explained that if Town Meeting approves, an RFP would go out. B.Monahan noted that the RFP is first. S.Greenbaum explained a consultant writes the RFP. B.Monahan stressed the need for the Commission members to evaluate the various pieces of land and their importance and noted that the matter of handicap access is a major consideration for the Commission. Discussion ensued on the general process that will follow. S.Greenbaum noted the need to determine how to provide full Conservation Commission input.

Motion to support a CPC warrant article to team with the Recreation Commission to seek funding to update the Open Space and Recreation Plan for Fall 2015 Special Town Meeting; Seconded 6-0

5. **7:45 PM – Public Hearing, Andrei Schor, Applicant, 37 Campbell Road, DEP File 322-849** Notice of Intent filed pursuant to the Wetlands Protection Act and a Chapter 194 application filed pursuant to Wayland’s Wetlands and Water Resources Protection Bylaw, Chapter 194, filed by Andrei Schor for the installation of a 10’x12’ storage shed on blocks and the construction of a

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12'x12'4" three-season sunroom addition on three footings at 37 Campbell Road, Wayland, MA shown on Assessor's Map 04 Parcel 070.

Andrei Schor, Applicant, and Ed Freedlender of Sudbury Kitchens were present for the discussion. Mr. Freedlender explained that while renovating his kitchen, Mr. Schor proposed to add a three-season room onto the back of the house. The proposed sunroom will go where the existing deck is now, which sits on footings with stone underneath. The deck measures longer than the proposed sunroom. They will dig three footings and propose gutters on two sides of the addition with the downspout running into a drywell located inside the existing timber/retaining edge in the stone bed area. The proposed storage shed will be set on stone with a drip line. B.Monahan noted that it would seem a portion of deck is being removed, which Mr. Freedlender confirmed.

B.Howell questioned where wetlands were on the plan. B.Monahan noted he had been to the site and that for a project like this the Commission can waive plans and use the existing structure unless the Building Department requires them. Mr. Freedlender noted that Building is not requiring a plot plan. B.Monahan showed the wetland areas on the photocopy and noted that the shed could be moved a little toward the house (15' minimum from edge of wetlands). B.Monahan noted no serious encroachment on wetlands. Mr. Schor said they were also working to keep away from the septic system. B.Monahan said no more than five feet of movement is needed. Question was raised by B.Howell as to gasoline storage in sheds, and B.Monahan noted that the Commission does not monitor shed usage.

S.Greenbaum reviewed waivers. B.Monahan noted that if the shed is on stone, they may want to excavate that area. Mr. Freedlender said he had made notation of a silt fence, which B.Monahan noted as acceptable for this work. B.Monahan wondered if the property were in the aquifer district and B.Howell said it is most likely Zone 2, near the Campbell well. Mr. Freedlender reported that the wetlands flagging had been recent. B.Monahan commented that two large oak trees are very close to the structure but Mr. Schor noted no plans for tree removal. The Commission noted waiving the need for waiver requests for items 1—16.

Motion that other than sediment barriers, the Commission waives all that weren't necessary to provide; Seconded 6-0

Motion to waive #4 Drainage – Maintenance/BMPs; Seconded 6-0

B.Monahan reviewed standard conditions appearing in decisions and confirmed that no as-built plan will be required unless a change in grade is noted.

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| Motion to close the hearing under the Wetlands Protection Act; | Seconded 6-0 |
| Motion to close the hearing under the Chapter 194 Bylaw; | Seconded 6-0 |
| Motion to issue a Permit under the Chapter 194 Bylaw; | Seconded 6-0 |
| Motion to issue an Order of Conditions under the Wetlands Protection Act; | Seconded 6-0 |
| Motion to require a performance guarantee of \$750; | Seconded 6-0 |

- 6. 8:10 PM – Continued Public Hearing, David Todd, Applicant, 90 Dudley Road, DEP File No. 322-848: Notice of Intent filed pursuant to the Wetlands Protection Act and a Chapter 194 application filed pursuant to Wayland's Wetlands and Water Resources Protection Bylaw, Chapter 194, filed by David Todd, 90 Dudley Road, Wayland, MA, for the repair/replacement of the existing failed septic system and for construction of a 12' x 12.5' addition to the existing home at 90 Dudley Road, Wayland, MA shown on Assessor's Map 47A, Parcel 62.**

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1960s. B.Monahan noted the necessary change to the plan removing “intermittent” for the plan on record and the hearing can now be closed and a vote to issue a decision handled at the next meeting. Mr. Capello noted a dumpster not located in the bottom driveway.

Motion to close the hearing under the Wetlands Protection Act;

Seconded 6-0

Motion to close the hearing under the Chapter 194 Bylaw;

Seconded 6-0

8. Mainstone Site Visit Report and Update from G. Schuler

Gretchen Schuler was present for the discussion and explained that the CPC is still waiting for the Town’s appraisal and then will have a working document to pin down the final price. G.Schuler reported that the CPC decided at their meeting tonight to submit a capital appropriation requisition to FinCom with no number on it. Copies were provided and G.Schuler suggested that the Commission can decide at their next meeting if they want to sign on with CPC. G.Schuler explained that after price, the next step is a CR and perhaps a good dialogue could ensue with SVT as they’ve done several CRs with farming, and farming can revert to open space. The logistics of writing and work with SVT should be discussed. S.Greenbaum asked who would hold the CR and G.Schuler said the Town but they could monitor. B.Monahan referenced Bedford Road/Lincoln where they’re doing both farming and open space. J.Barnett noted that Mainstone almost hooks up to the aqueduct which is an important connection. J.Sullivan commented that it will be difficult to get past Town Meeting without access. Ms. Schuler agreed that is vital. B.Howell commented that signage is needed to avoid problems and mistakes on trails. G.Schuler noted three house lots that are held out and mentioned the possibility of other areas being built and said once price is known those need to be sorted out. B. Monahan asked if the expense for this effort would preclude other acquisitions and G.Schuler responded that the CPC does not want to suspend all other projects over the next twenty years so it depends on price and what is raised as to what remains for other projects. They will need to know price by the end of September.

9. Miscellaneous

Debra Sarlin, recent Wayland resident and canoe owner, expressed her concern for the waters in Wayland being used by canoe/boat owners. Ms. Sarlin explained she regularly cleans her canoe with a white vinegar wash and is concerned about ponds infected by boats as she believes rock slime to be present in the northern part of Dudley Pond. Ms. Sarlin said though she disinfects her boat, the presence of signage would be helpful. B.Monahan said he can send her contact information to the Surface Water Quality Commission.

10. Bike Path / Rail Trail Update

Discussion ensued on communications from L.Kiernan concerning J.Barnett as the Commission’s rail trail liaison. J.Barnett reported to the Commission that L.Kiernan had accused her of dumping debris on the trail and added that he didn’t think she would be helpful. J.Barnett informed the Commission that she responded to L.Kiernan in writing that the dumping/debris was NSTAR activity and explained that she has been walking and riding trails in Wayland for years and has a thorough knowledge of the demographics. J.Barnett reported to the Commission that she may not be able to vote on rail trail matters due to her property location but she will be able to attend meetings and report back. S.Greenbaum asked if there were any objections and none were noted by the Commission.

J.Barnett referenced Town Meeting where she expressed the need for information for Sudbury and Weston. J.Sullivan said that Eversource has offered to do the NOI for Sudbury and Weston as well and remove tracks, ties and all but top surface. B.Monahan said Eversource wants to improve the road there. J.Sullivan said Eversource wants to be able to run their trucks on it and they’re happy with

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gravel. Discussion originally referenced stone dust but now they are looking for asphalt. J.Sullivan noted two stages and noted the Weston border to Russell's. B.Monahan said the gravel road is one and no NOI is yet in place. J.Barnett noted erosion near Plainville. S.Greenbaum asked who would do the NOI for asphalt. J.Sullivan said it would be L.Kiernan's group but it is not clear if he understands there are two parts. J.Sullivan explained that the Town is not responsible for repairs or maintenance of this – Eversource has total responsibility for everything but the top surface and if asphalt, DCR takes responsibility forever.

11. **Chapter 193 Stormwater and Land Disturbance Bylaw Update** – B.Monahan noted no update.

12. **Issuance of Order of Conditions [310 CMR 10.05 (6)] and Chapter 194 Permit/s**

a. 32/34 Covered Bridge Lane; DEP File No. 322-843

S.Greenbaum raised the issue of the Conservation Restriction on the open space parcel and noted the decision should include a condition that the CR must be conveyed, completed and recorded. B.Monahan noted the Commission should ask for O&M for BMPs when a Certificate of Compliance is requested.

Motion to issue a Permit under the Chapter 194 Bylaw; Seconded 7-0

Motion to issue an Order of Conditions under the Wetlands Protection Act; Seconded 7-0

Motion to require a performance guarantee of \$4,000; Seconded 7-0

b. 5 Erwin Road; DEP File No. 322-846

B.Monahan noted there will be a condition for maintenance on the bio-swale.

Motion to issue a Permit under the Chapter 194 Bylaw; Seconded 7-0

Motion to issue an Order of Conditions under the Wetlands Protection Act; Seconded 7-0

Motion to require a performance guarantee of \$1,000; Seconded 7-0

c. 7 Lincoln Road; DEP File No. 322-844

Motion to issue a Permit under the Chapter 194 Bylaw; Seconded 7-0

Motion to issue an Order of Conditions under the Wetlands Protection Act; Seconded 7-0

Motion to require a performance guarantee of \$3,000; Seconded 7-0

13. **Request for Certificate of Compliance; [310 CMR 10.05 (9)]**

a. DPW Facility – DEP File No. 322-794

B.Monahan noted that there was a site inspection and the site is stable but he needs to check details of the O&M Plan and the item should be deferred to the next meeting.

b. 10 Covered Bridge Lane – DEP File No. 322-770

S.Greenbaum noted the item will be deferred until the next meeting.

c. 1 Winthrop Terrace – DEP Files 322-541 and 322-839

B.Monahan noted that the site is stable and though one patch of grass is bare, issuance is recommended as a performance guarantee remains.

DEP File 322-541

Motion to issue a partial Certificate of Compliance under the Wetlands Protection Act;

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Seconded 6-0

DEP File 322-839

Motion to issue a partial Certificate of Compliance under the Wetlands Protection Act;

Seconded 6-0

Motion to issue a partial Certificate of Compliance under the Chapter 194 Bylaw;

Seconded 6-0

- d. 344 Commonwealth Road – DEP File 322-833
B.Monahan conducted a site visit and recommends the item be deferred to the next meeting to allow further establishment of grass and plantings.

14. Other

- a. Update on outstanding items for Town Center; DEP File No. 322-701
B.Monahan reported that a summary will be sent out to the Commission for discussion at the next meeting.
- b. Discussion on reviewing and updating the mission statement
S.Greenbaum reported that B.Salzberg will be assisting with this effort. It was noted that Cherry Carlson thought the statement should be updated. The Commission noted that the current wording has no mention of Conservation Areas or Chapter 193. S.Greenbaum set a review date for the October 8, 2015 meeting.
- c. Discussion of submission requirements for 55 Knollwood Lane
B.Monahan reviewed the proposed project and recommended that at a minimum a plot plan would be wise and will speak to the Building Department and simply match their requirements.

Motion to require a plot plan and plans with detail on stairs acceptable to the Building Department and the Commission; Seconded 6-0

- d. Site Visits with DPW
Pelham Island and Cow Common – B.Monahan discussed with S.Kadlik though not yet set.

B.Monahan reconfirmed the DEP Site visit at 8 Hill Street on September 3, 2015 at 11am and the Commission's site visit to 119 Dudley Road at 3:30pm.
- e. Update – 41 Shaw Drive
B.Monahan noted that the Commission is now in receipt of the ANRAD filed for this project.
- f. 75 Concord Road – deferred to next meeting.
- g. 105 Boston Post Road – deferred to next meeting
- h. 50 Rich Valley Road – B.Monahan needs to see if the citation was paid.
- i. B.Monahan will send out material on 113 Concord Road.

15. Land Management

- a. MWRA Aqueduct Update – B.Monahan said he is expecting a permit in a week.
- b. 246 Stonebridge Road – Status of Work
S.Greenbaum reported that a contract was executed with Sullivan, Connors & Associates and there will be a Notice of Intent, survey and demolition. A site visit will take place tomorrow.
- c. Capital Budget Update and Planning
B.Monahan will send last year's budget to the Commission and plans will be put in place at the next meeting for next year's budget. B.Monahan mentioned consideration of fencing in the Community Gardens and consolidating projects at different areas.
- d. Other- B. Monahan mentioned that the MWRA and their consultant were seeking an emergency certificate to address a beaver problem at the Hultman Aqueduct. Commission agreement to allow breach of the dam.

16. Adjournment

Motion to adjourn at 10:27PM; Seconded

The next Regular Conservation Commission Meeting is scheduled for **Thursday, September 10, 2015** in the Wayland Town Building.

NOTE: Per changes to the Open Meeting Law, notice of any meeting of a public body shall include "A listing of topics that the chair reasonably anticipates will be discussed at the meeting". AG's Office guidelines state that the list of topics shall have sufficient specificity to reasonably advise the public of the issue to be discussed.

**TOWN OF WAYLAND
MASSACHUSETTS
CONSERVATION COMMISSION**

**LIST OF PUBLIC DOCUMENTS PROVIDED TO THE CONSERVATION COMMISSION
August 6, 2015 to August 26, 2015**

August 6, 2015

322-699 Inspection Report for 371/373 Commonwealth Road from Schofield Brothers

August 7, 2015

ZBA hearing notice – August 25, 2015

August 10, 2015

Magistrate Hearing follow-up re: 50 Rich Valley Road from Framingham District Court

322-812 Inspection Report on Happy Hollow Chemical Feed/Water Main from Tata & Howard

322-710 Inspection Report on Fieldstone Estates from H2O Engineering

Notice of Intent for home addition project at 37 Campbell Road from Sudbury Kitchens

August 11, 2015

Public Records Request re: Sherman Bridge from Thomas G. Cooper

August 12, 2015

D-843 Clerk's Notice – K.T. Nelson vs. Conservation – from M.Lanza

RAM Report for 430 Boston Post Road from The Vertex Companies, Inc.

D-840 Inspection Report for 11 Three Ponds Road from Stamski & McNary

August 17, 2015

322-699 Inspection Reports on 371/373 Commonwealth Road from Schofield Brothers

Proposed application for work at 55 Knollwood Lane from T.Dreher

Confirmation of Commission roster and membership cards from MACC

322-836 Confirmation of inspections conducted at 107 Dudley Road from GLM Engineering

322-812 Inspection Report for Happy Hollow Chemical Feed Facility/Water Main from Tata & Howard

August 18, 2015

322-833 Request for COC (partial package) for 344 Commonwealth Road from Allen Engineering

August 19, 2015

322-847 Revised NOI Plan and response letter for 14 Oxbow Road

August 20, 2015

D-840 Inspection Report for 11 Three Ponds Road from Stamski & McNary

322-710 Inspection Report on Fieldstone Estates from H2O Engineering

322-816 Inspection Reports on River Trail Place from Sullivan, Connors

August 24, 2015

Notice of Intent - single-family home construction at 35 Covered Bridge Lane from Samiotes Consultants

322-655 Request for official record notation on CoC paperwork for 76 Dudley Road from J.Milgram, Esq.

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MASSACHUSETTS
CONSERVATION COMMISSION**

322-838 Notice of site visit at 8 Hill Street re: issuance of superseding OOC from MassDEP
322-816 Inspection Reports for River Trail Place from Sullivan, Connors
Marketing/Notice of Open Space and Recreation Plan services from Conservation Works, LLC

August 25, 2015

D-854 Notice to Start Work at 6 Cross Street from M.Miller
ANRAD filing for 41 Shaw Drive from Oxbow Development LLC
Notice of Aquatic plant management at Lake Cochituate from Aquatic Control Technology

August 26, 2015

322-833 Supporting docs for CoC Request – 344 Commonwealth Road from Allen Engineering
D-852 Notice of completion of work at 35 Jeffrey Road from M.Ouradnik

LIST OF EXPENDITURES August 6, 2015 to August 26, 2015

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|----------------|--|-----------------|
| <i>8/13/15</i> | <i>Northeast Sanitation (Comm. Garden portolet rental)</i> | <i>\$101.63</i> |
| <i>8/26/15</i> | <i>Richey & Clapper (grip/rope)</i> | <i>8.90</i> |
| | <i>Schwaab (mail stamp)</i> | <i>31.50</i> |